

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

LYNN GAVIN, ET AL.,

No. C14-04975 CRB

Plaintiffs,

v.

**ORDER OF SUA SPONTE  
REFERRAL AS TO WHETHER  
CASES ARE RELATED**

SAN FRANCISCO HOUSING AUTHORITY,  
ET AL.,

Defendants.

Northern District of California Civil Local Rule 3-12(c) provides: "Whenever a Judge believes that a case pending before that Judge is related to another case, the Judge may refer the case to the Judge assigned to the earliest-filed case with a request that the Judge assigned to the earliest-filed case consider whether the cases are related."

The Court believes that this action might be related to the earlier-filed case, Gavin v. Park Merced Investors Properties LLC et al., No. C 12-05864 RS (N.D. Cal.). In both cases, Plaintiff Lynn Gavin sues the San Francisco Housing Authority and others in connection with her 2012 eviction from 22 Grijalva Drive in San Francisco. See Compl. (dkt. 1) ¶ 10; Compl. in Case No. C 12-5864 RS (dkt. 1) ¶¶ 5, 13. In both cases, Plaintiff seeks the return of her Section 8 housing voucher. See Ex Parte Application for Return of Section 8 Voucher (dkt. 5) at 3 ("Plaintiff Gavin applies ex parte for an order for the return of Plaintiff Gavin's Voucher from the SFHA that the SFHA seized without due process of law in violation of

1 equal protection of law, and refuses to return."); Ex Parte Application for Return of Housing  
2 Choice Voucher and Personal Property in Case No. C 12-5864 RS (dkt. 12) at 3 ("Plaintiff  
3 Gavin applies ex parte for an order for the return of Plaintiff Gavin's Voucher from the  
4 SFHA that the SFHA seized without due process of law in violation of equal protection of  
5 law, and refuses to return.").<sup>1</sup>

6 Accordingly, pursuant to Rule 3-12(c), this action is REFERRED to the Honorable  
7 Judge Richard Seeborg for a determination of whether this action is related to Gavin v. Park  
8 Merced Investors Properties LLC et al., No. C 12-05864 RS (N.D. Cal.).

9 **IT IS SO ORDERED.**

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11 Dated: November 13, 2014



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CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE

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28 <sup>1</sup> Plaintiff Gavin's earlier case was dismissed with prejudice. See Order Granting Motion to  
Dismiss in Case No. C 12-5864 RS (dkt. 46) at 5 ("it seems [Plaintiff] lacks the ability to amend her  
pleadings in such a way as to show she is entitled to legal relief. . . . defendants' motions to dismiss are  
granted without leave to amend.").